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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,166	05/03/2001	Michael Wayne Brown	AUS920000712US1	7663

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EXAMINER

CHANG, JUNGWON

ART UNIT PAPER NUMBER

2154

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/848,166	BROWN ET AL.	
	Examiner	Art Unit	
	Jungwon Chang	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6/25/02, 12/9/02, 12/16/02, 4/17/03, 6/16/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-72 are presented for examination.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "112" and "116" have both been used to designate geographic boundary (please see specification on page 11, lines 8-24). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
3. Claim 16 is objected to because of the following informalities:
lines 1-2, "an x, y, z coordinate" should be "a x, y, z coordinate".
Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

Art Unit: 2154

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 18-22, 40-44 and 62-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Blants (US 6,732,080).

6. As to claims 18, 40 and 62, Blants discloses the invention as claimed, including a method for generating a calendar for a personal information management program (figs. 3-4; col. 1, line 62 – col. 2, line 15), comprising:

receiving selection of a time interval (scheduled time; col. 7, lines 61-65; col. 17, lines 22-24; col. 18, lines 33-39);

for the selected time interval, determining position coordinates of a wireless device and time information indicating a time when the position coordinates were generated (202, fig. 5; current position and time of the mobile terminal; col. 14, 34-42; col. 2, lines 24-30), wherein a user is associated with the wireless device (user of the mobile terminal; col. 8, lines 27-30 and 43-56); and

processing the position coordinates and time information to determine information on locations (x, y, and z position coordinates; col. 13, lines 7-16) and associated time periods (for the time period in which the user takes place; col. 17, lines 27-33), wherein for each determined location and associated time period, the user of

Art Unit: 2154

the wireless device was located at the location for the associated time period (col. 6, lines 65-67; col. 15, lines 34-44);

displaying information on the determined locations and time periods where the user of the wireless device was located for the selected time interval (col. 3, lines 15-24; col. 6, lines 42-67; col. 12, lines 31-40).

7. As to claim 19, Blants discloses determining scheduled events for the user within the selected time interval (fig. 3; col. 12, lines 41-54; col. 13, lines 7-16); and displaying information on the determined locations and time periods where the user was located for the selected time interval (col. 3, lines 15-24; col. 6, lines 42-67; col. 12, lines 31-40; col. 13, lines 7-16).

8. As to claims 20 and 21, Blants discloses wherein the selected time interval comprises a selected time period of a user selected day (scheduled time; col. 7, lines 61-65; col. 17, lines 22-24; col. 18, lines 33-39).

9. As to claim 22, Blants discloses the information is displayed in a calendar Graphical User Interface (GUI; fig. 3; col. 12, lines 31-40).

10. As to claims 41 and 63, they are rejected for the same reasons set forth in claim 19 above.

11. As to claims 42, 43, 64 and 65, they are rejected for the same reasons set forth in claims 20 and 21 above.

12. As to claims 44 and 66, they are rejected for the same reasons set forth in claim 22 above.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1-17, 23-39, 45-61 and 67-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chern et al. (2003/0060211), hereinafter referred to as Chern, in view of Blants (US 6,732,080).

15. As to claims 1 and 23, Chern discloses the invention as claimed, including a method for providing user location information (610, fig. 8; 664, fig. 10; page 1, [0007]; page 2, [0027]) for a personal information management program (page 7, [0080]), comprising:

generating position coordinates (longitude 412, latitude 414, height 416, fig. 6) of a wireless device (100, fig. 1; 130, 132, fig. 2; page 2, [0030]-[0032], [0038]) (position

determining system 134 determines location; page 3, [0040]; fig. 6; page 7, [0087]-[0088]) and time information indicating a time when the position coordinates were generated (410, fig. 6; page 7, [0087]-[0088]), wherein a user is associated with the wireless device (user of the wireless device; page 1, [0009]; page 2, [0038]); and

processing the position coordinates and time information to determine information on locations and associated time periods (location information response includes parameters indicating position such as time, longitude, latitude, height, data age; page 7, [0087]-[0088]; position determination system is included with the wireless communication device to allow the location of the device to be determined; page 2, [0027]; page 3, [0044]-[0046]), wherein for each determined location and associated time period (location information response includes parameters indicating position such as time, longitude, latitude, height, data age; page 7, [0087]-[0088]).

16. Chern discloses a location monitoring service creates a log of the user's location (user can review his daily activities; page 6, [0074]; page 9, claims 8 and 18).

However, Chern does not specifically disclose the user of the wireless device was located at the location for the associated time period. Blants discloses the user of the wireless device was located at the location for the associated time period (for the time period in which the user takes place; col. 17, lines 27-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Chern and Blants because Blants' associated time period at the location would improve scheduling and calendaring service of Chern's system by determining the time periods in which the user takes place at the specific location.

17. As to claims 2 and 3, Chern further discloses wherein the position coordinates (position determining system 134 determines location; page 3, [0040]; fig. 6; page 7, [0087]-[0088]) and time information (410, fig. 6; page 7, [0087]-[0088]) are generated at the wireless device, further comprising:

transmitting the generated position coordinates and time information to a server (136, fig. 2) (712, fig. 12; page 7, [0080]); and storing, with the server, the generated position coordinates and time information in a database (138, fig. 2) (page 3, [0047]; page 4, [0052]), wherein the server processes the position coordinates and time information to determine the locations (206, 208, 210, fig. 3; page 4, [0051]).

18. As to claims 4, 5 and 7, Chern further discloses providing a plurality of location boundaries (regions; page 6, [0076]-[0077]) defining multiple location coordinates (page 3, [0040]); for each location boundary, providing a location description including information describing the location boundary (location-based information retrieval system includes a driving direction service, a points of interest service, a location monitoring service and notification service; page 5, [0061]); for each generated position coordinate, determining whether the position coordinate is included in one of the provided location boundaries (position determining system 134 determines location; page 3, [0040]; fig. 6; page 7, [0087]-[0088]), wherein at least one determined location comprises one predefined location boundary including position coordinates (fig. 6; page 7, [0087]-[0088]), and wherein the information generated on the at least one location includes the location description for the predefined location boundary comprising the

Art Unit: 2154

location (location-based information retrieval system includes a driving direction service, a points of interest service, a location monitoring service and notification service; page 5, [0061]).

19. As to claim 6, Chern further discloses receiving location boundary and location description information from a transmitter (transceiver, 122, page 2, [0034]).

20. As to claim 8, Chern further discloses receiving position coordinates and time information from multiple wireless devices (206, fig. 3; 712, fig. 12; page 7, [0080]); and storing the position coordinates and time information in a database with information associating each position coordinate and time information with one user (page 3, [0047]; page 4, [0052]).

21. As to claim 9, Chern further discloses for each user, determining a series of position coordinates included within one predefined location boundary (within X miles of the user's current location; page 3, [0046], [0048]).

22. As to claims 10 and 11, Chern does not specifically disclose determining activity time periods that are within the selected time interval. However, Mault discloses determining activity time periods that are within the selected time interval (page 3, [0031]; location log, 102, 152, fig. 5; page 5, [0040]; page 6, [0041]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine

the teachings of Chern and Mault because Mault's location log having time and location information would improve user activity monitoring service of Chern's system by allowing the system to determine how long the user has been spent time on every activity.

23. As to claims 12 and 14, Chern further discloses transmitting the generated information to an initiator of the request for information to enable the initiator to display the location information and time periods where the user of the wireless device was located for the time interval (display, 108, fig. 1; information may be displayed on the handset display; page 3, [0043]; in step 210, is displayed to the user; page 4, [0051]; page 4, [0053]).

24. As to claim 13, Chern further discloses wherein the initiator requesting the information comprises a program installed on a computer (104, fig. 1; page 2, [0033]), and wherein the generated information is transmitted over the Internet (140, fig. 2) to the computer (page 3, [0043]).

25. As to claim 15, Chern does not specifically disclose determining scheduled events for the user within the time interval; and generating information on the scheduled events within the time interval to enable the initiator to display information on the scheduled events along with the geographic locations where the user was located during the time interval. However, Blants discloses determining scheduled events for

Art Unit: 2154

the user within the time interval (event, fig. 3); and generating information on the scheduled events within the time interval to enable the initiator to display information on the scheduled events along with the geographic locations where the user was located during the time interval (event, event time, event locations, event type, fig. 3; col. 3, lines 38-48; col. 5, lines 1-21; col. 9, lines 45-60; col. 12, lines 41-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Chern and Blants because Blants' scheduled events along with the geographic locations would improve the reliability of Chern's system by reminding the user when certain events are scheduled in specific places.

26. As to claim 16, Chern further discloses wherein each position coordinate is expressed as a x, y, z coordinate (longitude 412, latitude 414, height 416, fig. 6).

27. As to claim 17, Chern further discloses providing information on the determined locations comprising one of at least text, audio, image, and video (page 2, [0028]; information is audibly or visually provided to the user, 208, 210, fig. 3; page 4, [0053]).

28. As to claims 24 and 25, they are rejected for the same reasons set forth in claims 2 and 3 above.

29. As to claims 26, 27 and 29, they are rejected for the same reasons set forth in claims 4, 5, and 7 above.

30. As to claim 28, it is rejected for the same reasons set forth in claim 6 above.
31. As to claim 30, it is rejected for the same reasons set forth in claim 8 above.
32. As to claim 31, it is rejected for the same reasons set forth in claim 9 above.
33. As to claims 32 and 33, they are rejected for the same reasons set forth in claims 10 and 11 above.
34. As to claim 34, it is rejected for the same reasons set forth in claim 12 above.
35. As to claim 35, it is rejected for the same reasons set forth in claim 13 above.
36. As to claim 36, it is rejected for the same reasons set forth in claim 14 above.
37. As to claim 37, it is rejected for the same reasons set forth in claim 15 above.
38. As to claim 45, it is rejected for the same reasons set forth in claims 1 and 23. In addition, Chern discloses an article of manufacture including code method (page 2, [0033]; page 8, [0093], [0095]).
39. As to claims 46 and 47, they are rejected for the same reasons set forth in claims

2 and 3 above.

40. As to claims 48, 49 and 51, they are rejected for the same reasons set forth in claims 4, 5, and 7 above.

41. As to claim 50, it is rejected for the same reasons set forth in claim 6 above.

42. As to claim 52, it is rejected for the same reasons set forth in claim 8 above.

43. As to claim 53, it is rejected for the same reasons set forth in claim 9 above.

44. As to claims 54 and 55, they are rejected for the same reasons set forth in claims 10 and 11 above.

45. As to claim 56, it is rejected for the same reasons set forth in claim 12 above.

46. As to claim 57, it is rejected for the same reasons set forth in claim 13 above.

47. As to claim 58, it is rejected for the same reasons set forth in claim 14 above.

48. As to claim 59, it is rejected for the same reasons set forth in claim 15 above.

49. As to claim 60, it is rejected for the same reasons set forth in claim 16 above.
50. As to claim 61, it is rejected for the same reasons set forth in claim 17 above.
51. As to claim 67, it is rejected for the same reasons set forth in claims 1 and 23. In addition, Chern discloses computer readable medium (page 8, [0095]).
52. As to claim 68, it is rejected for the same reasons set forth in claim 4 above.
53. As to claim 69, it is rejected for the same reasons set forth in claim 9 above.
54. As to claim 70, they are rejected for the same reasons set forth in claims 10 and 11 above.
55. As to claim 71, it is rejected for the same reasons set forth in claim 16 above.
56. As to claim 72, they are rejected for the same reasons set forth in claim 17 above.

Conclusion

57. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Art Unit: 2154

Mault et al, 2001/0049470, Biswas et al, patent 6,594,666, Raith, patent 6,625,457, Myllymaki, 2002/0115445, Havinis et al, 2002/0077116, Dukach et al, patent 6,701,143, Kaufman et al, 2002/0120703, Brown et al, patent 6,751,626 disclose system and method for determining the current location of mobile terminal.

58. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JWC
December 3, 2004